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8/4/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re application of:

Anthony John Peach et al.

Filed: October 15, 2001

Serial No. 09/889,745

For: ROCK BORING DEVICE

) Group Art Unit: 3673

) Examiner: Sunil Singh

) Attorney Docket: GH 01383

) July 29, 2003

COMMISSIONER FOR PATENTS
P.O. Box 1450
ALEXANDRIA, VA 22313-1450

ATTN: BOX NON FEE AMENDMENT

AMENDMENT

RECEIVED

AUG 06 2003

GROUP 3600

Sir:

Applicant acknowledges receipt of the Office Action mailed January 31, 2003 with respect to the above-referenced application. Please amend the application as indicated.



3673

DOCKET NO. GH 01383

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AMENDMENT TRANSMITTAL

1. Transmitted herewith is an Amendment for this application.

STATUS

2. Applicant is

☒ a small entity -- verified statement:☐ attached.☒ already filed.☐ other than a small entity.

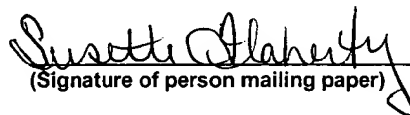
CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Susette Flaherty

(Type or print name of person mailing paper)

Date: July 29, 2003


(Signature of person mailing paper)

08/05/2003 ZJHAR1 00000085 09889745

01 FC:2253

465.00.00

(Amendment Transmittal [9-19]--page 1 of 4)

EXTENSION OF TIME

NOTE: "Extension of Time In Patent Cases (Supplemental Amendments)--If a timely and complete response has been filed after a Non Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34.35).

NOTE: See 37 CFR 1.645 for extensions of time in interference proceedings and 37 CFR 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply

(complete (a) or (b) as applicable)

- (a) ☒ Applicant petitions for an extension of time under 37 CFR 1.17(a) for the total number of months checked below:

| | Extension (months) | Fee for other than small entity | Fee for small entity |
|-------------------------------------|-----------------------|------------------------------------|-------------------------|
| <input type="checkbox"/> | one month | \$ 110.00 | \$ 55.00 |
| <input type="checkbox"/> | two months | \$ 410.00 | \$205.00 |
| <input checked="" type="checkbox"/> | three months | \$ 930.00 | \$465.00 |

Fee \$465.00

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for ____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$

OR

- (b) ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 CFR 1.16(b)-(d)) has been calculated as shown below:

| (Col. 1) | | (Col. 2) | | (Col. 3) | | SMALL ENTITY | | OTHER THAN A SMALL ENTITY | |
|--|----|---------------------------------------|----|------------------|---|--------------|----|------------------------------|--------------|
| CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | | PRESENT EXTRA | | ADDN. FEE | OR | RATE | ADDN. FEE |
| TOTAL ♦ | 12 | MINUS ♦♦ | 20 | - | 0 | x 9= \$ | | x18= \$ | |
| INDEP. ♦ | 1 | MINUS ♦♦♦ | 3 | - | 0 | x42= \$ | | x84= \$ | |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | | | +140= \$ | | +280= \$ | |
| | | | | | | TOTAL \$ | OR | TOTAL \$ | |

ADDN. FEE \$ 0

- ♦ If the entry in Col. 1 is less than entry in Col. 2 write "0" in Col. 3.
 - ♦♦ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 - ♦♦♦ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

(complete (a) or (b) as applicable)

- (a) ☒ No additional fee for claims is required.

OR

- (b) ☐ Total additional fee for claims required \$_____.

FEE PAYMENT

5. ☒ Attached is check no. 4886 in the sum of \$465.00 to cover the Extension of Time Fee.
- ☐ Charge Account No. _____ the sum of \$_____.

FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is non authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

6. ☐ If any additional extension and/or fee is required, charge Account No. _____.

AND/OR

[] If any additional fee for claims is required, charge Account No. _____.


SIGNATURE OF AGENT

Amos Bartoli
Type or print name of Agent

Registration No.: 42,299

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